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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE: Fosamax Products Liability : Litigation : x

This Document Relates to: : Elyene Underwood & Lendell Underwood : v. Merck & Co., Inc. :

Case No: 1:07-cv-7353-JFK

1:06-md-1789 (JFK)

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Rule 7.1 Statement

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned attorneys of record for Defendant Merck & Co., Inc. certify that it has no parent companies and are not aware of any beneficial owner of more than ten percent of its Common Stock.

Dated: New York, New York September 17, 2007

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By:<u>/s/</u>____

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